

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Copeland, et al.

Plaintiffs,

-against-

Vance, et al.,

Defendants.

**DECLARATION OF TOMAS
ACOSTA**

11 Civ. 3918 (KBF)

TOMAS ACOSTA declares under penalty of perjury, pursuant to 28 USC § 1746, that the following is true and correct:

1. I am currently a Sergeant in the New York City Police Department (“NYPD”) assigned to the Police Academy. I joined the NYPD in March of 2000.

2. I am fully familiar with the facts set forth herein which are based on my personal knowledge.

3. Upon graduation from the Police Academy in October 2000 until January 2005, I was assigned to the Transit Bureau. From January 2005 through 2013, I was an Instructor at the Police Academy.

4. At the Academy, the Instructors cover the law, police science, and behavioral or social science. Recruits are taught about how to identify weapons. The Student Guide, which is distributed to every recruit, includes a section called “Weapon Offenses.” The Guide is attached to plaintiffs’ Trial Papers as Exhibit P-30. In class, we review the Penal Law definitions of various weapons and the charges to be applied.

5. A gravity knife is included in the list of deadly weapons in the Student Guide and there is an illustration of an example of a gravity knife. *See* Exhibit P-30 at p. 5, 37.

6. Recruits are instructed that the identifying criteria of a gravity knife are: 1) the blade releases from the handle; 2) by use of gravity or centrifugal force; 3) and locks in place.

7. The wrist flick test is used to identify whether a knife is a gravity knife. The test consists of holding the handle of the knife and make a flicking motion with your wrist and arm. If the blade releases from the handle and locks into place, then it is a gravity knife.

8. Upon graduation from the Academy, recruits receive additional training in the field upon assignment to a command or field training unit. Once at the precincts and field training units, new recruits are able to observe more senior officers use the wrist flick test on the street to identify gravity knives, and are able to test knives that have been confiscated back at their precinct.

9. In field training, new officers are closely supervised by working in small groups with a designated Sergeant and a training Police Officer.

Dated: New York, New York
April 6, 2016


TOMAS ACOSTA